

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**PORTS AMERICA OUTER HARBOR, LLC,
CURRENTLY KNOWN AS OUTER HARBOR
TERMINAL, LLC**

and

Case 32-CA-110280

**INTERNATIONAL ASSOCIATION OF
MACHINISTS AND AEROSPACE WORKERS,
DISTRICT LODGE 190, EAST BAY
AUTOMOTIVE MACHINISTS LODGE
NO. 1546, INTERNATIONAL ASSOCIATION
OF MACHINISTS AND AEROSPACE
WORKERS, AFL-CIO/CLC**

**INTERNATIONAL LONGSHORE AND
WAREHOUSE UNION**

and

Case 32-CB-118735

**INTERNATIONAL ASSOCIATION OF
MACHINISTS AND AEROSPACE WORKERS,
DISTRICT LODGE 190, EAST BAY
AUTOMOTIVE MACHINISTS LODGE
NO. 1546, INTERNATIONAL ASSOCIATION
OF MACHINISTS AND AEROSPACE
WORKERS, AFL-CIO/CLC**

ORDER

International Longshore and Warehouse Union's (ILWU) motion for permission to appeal the August 29, 2016 Order of Administrative Law Judge Mary Miller Cracraft approving a non-Board settlement agreement in Case 32-CA-110280 is granted.¹ On the merits, the appeal is denied. ILWU has failed to establish that the judge abused her

¹ For purposes of this proceeding, we assume, without deciding, that ILWU has standing to file a request for permission to appeal.

discretion in approving the settlement.

Dated, Washington, D.C., November 18, 2016

MARK GASTON PEARCE,	CHAIRMAN
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PHILIP A. MISCIMARRA,	MEMBER
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LAUREN McFERRAN,	MEMBER
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